

To: Rueda, Helen[Rueda.Helen@epa.gov]; Haire, Michael[Haire.Michael@epa.gov]; Curtin, James[curtin.james@epa.gov]
From: Whitlock, Steve
Sent: Thur 6/27/2013 9:36:17 PM
Subject: RE: Some preliminary answers.

Thanks Helen. This is helpful.

--Steve--

From: Rueda, Helen
Sent: Thursday, June 27, 2013 5:28 PM
To: Haire, Michael; Whitlock, Steve; Curtin, James
Subject: FW: Some preliminary answers.

FYI since Sarah is not around to send you this.

From: Rueda, Helen
Sent: Thursday, June 27, 2013 2:21 PM
To: Furtak, Sarah
Cc: Owens, Kim; Croxton, Dave; Cope, Ben
Subject: Some preliminary answers.

n Understand what happened to the 2007 draft TMDL, which may provide valuable background. **(R10, All)**

o Was the 2007 TMDL http://www.deq.idaho.gov/media/571574-pend_oreille_river_temp_tmdl_draft_081007.pdf pulled off the street?

§ This TMDL was not “pulled off the street”. The public comment period closed and the states and EPA compiled and began to address the comments. At this point an issue arose between EPA and Washington on a standards interpretation. This took two years to resolve. When this issue was settled, Washington was anxious to resume and complete the TMDL but Idaho DEQ had undergone budget cuts and loss of staff and was not able to continue work on it at that time (or since). Washington decided to continue the project as a TMDL for Washington waters.

o Why was the 2007 draft TMDL an Idaho-Washington-Tribal effort?

§ Both states were starting work on these TMDLs at the same time and, along with the Kalispels, were members of the Tri-State Water Quality Council. It was discussed in the council and made sense to make this a collaborative effort. Without that it may not have been possible to obtain the funding for the model development and facilitation assistance that this project received.

o In the 2007 TMDL, it appears a day-to-day analysis (non-CFA) was employed as was the same model as the 2011 TMDL. Allocations were assigned to Albeni Falls Dam, and it appears we were able to meet WQS.

§ The Washington portion of the river was analyzed using a day to day comparison in the 2007 draft TMDL. The Idaho portion was not.

§ There was no specific assessment of impairment at the border in the 2007 draft TMDL.

§ Washington's analysis was flawed by the use of inconsistent upstream boundary conditions at the Idaho border in the 2007 TMDL. Washington's 2007 draft TMDL results cannot be relied on, especially in the Idaho border area. Washington required a reduction in early May at the Kalispel Reservation due to heat loading from Albeni Falls Dam in the draft 2007 TMDL, but this was an artifact of the erroneous boundary conditions.

§ In the draft 2007 TMDL Idaho set the allocation for Albeni Falls Dam to address impairment upstream of the dam, not downstream near Washington, and also to address the early May impairment at the Kalispel boundary, which was later found to be an error.

o Why was there no allocation to Albeni in the 2011 TMDL?

§ Washington state has no authority to set allocations for sources in another state. The 2011 TMDL analysis found no impairment in water coming over the Idaho border, therefore there was no assumption that reductions would be set in an Idaho TMDL to meet downstream state WQS.

n Discuss relevant language from the Multi-Jurisdictional TMDL draft document.
(Mike, Jim)

o What is the temperature distribution throughout the river?

o How does it meet WQS?

o What are the implications for TMDL allocations and implementation strategies?

Discuss assessment of impairment at the border and documentation of border conditions/rationale. **(All)**

Helen Rueda

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